

FINDING OF NO SIGNIFICANT IMPACT

Calico Mountains Complex Wild Horse Capture Plan Environmental Assessment DOI-BLM-NV-WO30-2010-0001-EA

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Based on the interdisciplinary analysis conducted in the Calico Mountains Complex Wild Horse Capture Plan Environmental Assessment (EA), DOI-BLM-NV-WO30-2010-0001-EA, dated December 2009, and my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR § 1508.27), both with regard to the context and the intensity, I have determined that the impacts associated with implementation of Proposed Action are not significant. Therefore, preparation of an Environmental Impact Statement (EIS) is not required as per Section 102 (2) (C) of the National Environmental Policy Act (NEPA).

CONTEXT

The Calico Mountain Complex (Complex) consists of approximately 550,000 (public and private) acres of public lands and is located north and east of Gerlach, Nevada within Humboldt and Washoe counties. The entire gather area spans approximately 50 miles long and 35 miles wide. A portion of the area is located within the Black Rock Desert High Rock Canyon Emigrant Trails National Conservation Area (NCA). The Complex includes the following Herd Management Areas (HMAs) (EA Map 1):

- Black Rock Range East
- Black Rock Range West
- Calico Mountains
- Granite Range
- Warm Springs Canyon

Wild horses from these HMAs would be gathered as a Complex or unit, as herds move and interact throughout. The Complex gather involves areas beyond the HMA boundaries as displayed in EA Maps 1-2, as wild horses have moved outside of HMAs in search of forage, water and space due to the current over-population of wild horses in this area. Burros are only found in the Warm Springs Canyon HMA and would not be gathered or removed as the current population estimate is within the established Appropriate Management Level (AML) for burros in that HMA.

The current population of wild horses within the Complex is 3,040 wild horses based on the September 2009 direct count aerial inventory. The current population greatly exceeds the Complex AML at about 5.3 times the low range of the AML (572) or about 3 times over the carrying capacity (high range AML of 952). In fact, the current population of wild horses exceeds the identified carrying capacity for both livestock and wild horses combined as

established in the Final Multiple Use Decisions (FMUDs) completed for all four allotments dated 1993, 1994, 2003, 2004 and 2005.

The last gather in the Complex occurred in the winter of 2004-2005 when 2,033 wild horses were gathered, 1,623 removed, and 410 released back to the range. Two hundred and thirty-nine mares were treated with a Porcine Zona Pellucida (PZP-22) vaccine (i.e., fertility control agent) and freeze marked for future identification. Following the gather, the BLM estimated that 575 wild horses remained in the Complex although more recent information indicates that this may have been an under-estimate of the actual numbers remaining.

INTENSITY

1) *Impacts that may be both beneficial and adverse.* The EA considered both beneficial and adverse impacts of the gather and removal of wild horses from the Complex. Removing excess wild horses from the Complex would reduce the level of use endured by rangeland and riparian vegetation, and help alleviate competition for resources between wildlife, livestock, and wild horses. Removal of excess wild horses would allow for the recovery of natural resources, such as soils, vegetation, watersheds, wildlife, fisheries and wild horse and wildlife habitat impacted by excess wild horse numbers. The proposed wild horse gather would also prevent emergency conditions on the range for wild horses due to lack of forage and water which could require emergency removals. Removal of excess wild horses would also lessen impacts to cultural resources in riparian areas as fewer animals would be trampling areas that may contain prehistoric archaeological sites when utilizing water sources.

The Proposed Action is to gather and remove excess wild horses from within the Complex (includes HMAs and adjacent land within the Complex gather area) and remove wild horses from non-HMA areas to which wild horses have moved, and to manage for a thriving natural ecological balance.

Archaeological site reviews have already been conducted on many of the locations that would be used as trap and holding sites. All trap sites and holding sites would be constructed in accordance with the design criteria for implementing the Proposed Action. (Refer to Chapter 2 of the EA for management actions common to action alternatives).

2) *The degree to which the Proposed Action affects public health or safety.* The Standard Gather Operation Operating Procedures (EA, Appendix A) would be used to conduct the gather and are designed to protect human health and safety, as well as the health and safety of the wild horses and burros. The Proposed Action would have minimal effects to public health or safety.

3) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

- There is no park land within or in close proximity to the Complex.
- Prime farmlands would not be affected by the implementation of the Proposed Action.

- There are no wild and scenic rivers within or in close proximity to the Complex.
- The Applegate National Historic Trail is located within the Complex.
- Approximately 259,000 acres of these HMAs are within the Black Rock Desert-High Rock Canyon Emigrant Trail National Conservation Area.
- Approximately 179,300 acres of the Complex is designated as wilderness.

Direct impacts to cultural resources are not anticipated because gather sites and temporary holding facilities would be placed in previously disturbed areas or inventoried for cultural resources prior to construction. Archaeological site reviews have already been conducted on many of the locations that would be used as trap sites and holding sites. All trap sites and holding sites would be constructed in accordance with the design criteria for implementing the Proposed Action. (Refer to Chapter 2 of the EA, management actions common to action alternatives).

The Proposed Action would not impact resources identified above. Achievement and maintenance of the established AMLs would help to protect these landscapes from adverse impacts caused by the current over-population of wild horses relative to the level at which a thriving natural ecological balance can be maintained.

4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial.* Effects that would occur from implementation of the gather are well known and understood. No unresolved issues were raised following public notification of the proposed gather. This is demonstrated through the effects analysis in the EA.

5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.* The Proposed Action has no known effects on the human environment which are considered highly uncertain or involve unique or unknown risks. This is demonstrated through the effects analysis in the EA.

6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.* The Proposed Action does not set a precedent for future actions. Future actions would be subject to evaluation through the appropriate level of NEPA documentation.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* The Proposed Action is not related to other actions within the cumulative assessment area that would result in cumulatively significant impacts.

8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.* The Proposed Action would not affect significant scientific, cultural, or historical resources.

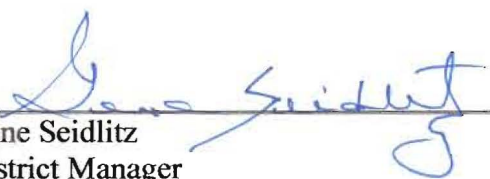
No districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places were identified in any of the areas to be disturbed by the trap sites and/or holding sites. The Proposed Action would not cause the loss or destruction of significant scientific, cultural or historical resources. Native American Consultation was conducted and concerns relative to implementation of the Proposed Action have been addressed.

9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical in the Endangered Species Act of 1973.* The EA has identified two threatened species (Lahontan cutthroat trout and Desert Dace) and two candidate species (Elongate mud meadows springsnail and Soldier Meadow cinquefoil) in the project area. Review of the threatened and endangered species section of the EA indicates an overall improved/sustained ecological condition for the threatened and candidate species under the Proposed Action. The threatened and candidate species are expected to meet life cycle requirements. Therefore, it has been determined the proposed activities would not adversely affect any threatened or candidate species or their critical habitat.

10) *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.* The Proposed Action would not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment. The Proposed Action is in conformance with all applicable 43 CFR (Code of Federal Regulations). The Proposed Action would not violate the Migratory Bird Treaty Act or Endangered Species Act.

Section 7 consultation was completed with the U.S. Fish and Wildlife Service. A species list was requested August 3, 2009, and received September 16, 2009, from the U.S. Fish and Wildlife Service in Reno, Nevada. Informal consultation was requested October 20, 2009, and a Letter of Concurrence was received November 18, 2009, from the U.S. Fish and Wildlife Service in Reno, Nevada.

All practicable means to avoid or minimize environmental harm and unnecessary or undue degradation of the public land are inherent to the Proposed Action.



Gene Seidlitz
District Manager
Winnemucca District

12/8/09
Date